

### REMARKS

This Application has been carefully reviewed in light of the Final Office Action mailed June 8, 2006. At the time of the Final Office Action, Claims 1-5, 8, 9, and 11-23 were pending in this Application. Claims 1-5, 8, 9, and 11-23 were rejected. Claims 6, 7, and 10 were previously canceled without prejudice or disclaimer. Claim 12 has been amended. Applicant respectfully requests reconsideration and favorable action in this case.

#### **Claims Objections**

Claim 12 is objected to due to informalities, specifically, Claim 12 depends from canceled Claim 6. Applicant amends Claim 12 to overcome this objection.

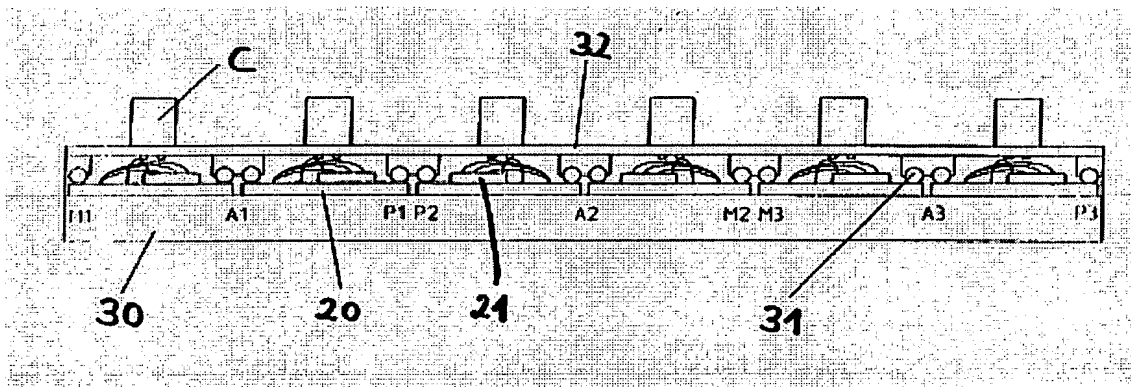
#### **Rejections under 35 U.S.C. § 102**

Claims 1-3, 8, 9, 13-17, and 19-23 stand rejected by the Examiner under 35 U.S.C. §102(b) as being anticipated by European Patent No. 1,083,599 filed by Georg Fromme et al. ("Fromme"). Applicant respectfully traverses and submits the cited art does not teach all of the elements of the claimed embodiment of the invention.

"A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 U.S.P.Q.2d 1051, 1053 (Fed. Cir. 1987). Furthermore, "the identical invention must be shown in as complete detail as is contained in the ... claim." *Richardson v. Suzuki Motor Co. Ltd.*, 868 F.2d 1226, 1236, 9 U.S.P.Q.2d 1913, 1920 (Fed. Cir. 1989). Applicant respectfully submits that the cited art as anticipatory by the Examiner cannot anticipate the rejected Claims, because the cited art does not show all the elements of the present Claims.

The Examiner stated that the term "in between" as used in the independent claims has been interpreted as defined in the dictionary as "in a space intermediate to." Using this interpretation, Applicant respectfully disagrees with the Examiner's conclusion that Fromme anticipates the present independent claims.

Fromme discloses the following structure:



The substrates are elements 20 arranged adjacent to each other. Thus, the only space which is intermediate between two adjacent substrates is the gap between two substrates 20. The area above the substrates is not and cannot be reasonably interpreted to be a space intermediate two adjacent substrates. According to the Examiner's interpretation of "in between," a connecting region has to be in this space. However, Fromme teaches an empty space intermediate two adjacent substrates. According to Fromme, elements 32 are arranged above the substrates and not in between. Therefore, Fromme does not anticipate the present independent claims.

Applicant respectfully submits that the dependent Claims are allowable at least to the extent of the independent Claims to which they refer, respectively. Thus, Applicant respectfully requests reconsideration and allowance of the dependent Claims. Applicant reserves the right to make further arguments regarding the Examiner's rejections under 35 U.S.C. §103(a), if necessary, and do not concede that the Examiner's proposed combinations are proper.

#### **Rejections under 35 U.S.C. §103**

Claims 4-5, 11, 12, and 18 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Fromme as applied to Claims 1-2, and 14 above, and further in view of Japanese Publication 2001-118987 filed by Naruse Mikio ("Mikio"). Applicant respectfully

traverses and submits the cited art combinations, even if proper, which Applicant does not concede, does not render the claimed embodiment of the invention obvious.

Applicant respectfully submits that the dependent Claims are allowable at least to the extent of the independent Claim to which they refer, respectively. Thus, Applicant respectfully requests reconsideration and allowance of the dependent Claims. Applicant reserves the right to make further arguments regarding the Examiner's rejections under 35 U.S.C. §103(a), if necessary, and do not concede that the Examiner's proposed combinations are proper.

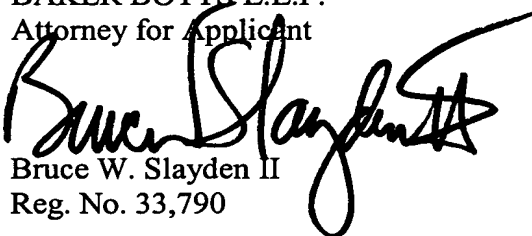
### CONCLUSION

Applicant has made an earnest effort to place this case in condition for allowance in light of the amendments and remarks set forth above. Applicant respectfully requests reconsideration of the pending claims.

Applicant believes there are no fees due at this time, however, the Commissioner is hereby authorized to charge any fees necessary or credit any overpayment to Deposit Account No. 50-2148 of Baker Botts L.L.P.

If there are any matters concerning this Application that may be cleared up in a telephone conversation, please contact Applicant's attorney, Andreas H. Grubert at 512.322.2545.

Respectfully submitted,  
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